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Plaintiff in Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARC WOLSTENHOLME,

Plaintiff,

vs.

RIOT GAMES, INC.,

Defendant

CASE NO. 2:25-CV-00053-FMO-BFM

HON. FERNANDO M. OLGUIN

PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS
PURSUANT TO AMENDED COMPLAINT
UNDER FEDERAL RULE OF CIVIL
PROCEDURE 12(B)(6) FOR FAILURE TO
STATE A CLAIM.

DATE: FEBRUARY 13, 2025
TIME: 10:00 A.M.
CRTRM: 6D

JANUARY 17, 2025

Dated this: JANUARY 17, 2025

M. WOLSTENHOLME

[MARC WOLSTENHOLME]

For the reasons set forth below, the Court should deny Defendant's Motion to Dismiss or,
alternatively, grant Plaintiff leave to amend the Complaint.

I, Marc Wolstenholme, declare as follows:

INTRODUCTION-

Plaintiff Marc Wolstenholme ("Plaintiff"), a UK resident and the owner of the copyrighted material known as the M.W. Wolf catalogue of fiction, brings this action against Defendant Riot Games, Inc. ("Defendant"), a California-based video game development company.

Plaintiff owns the exclusive copyright to "Bloodborg: The Harvest" by M.W. Wolf, created between 2018-2019.

Plaintiff alleges that Defendant infringed his copyright by using the manuscript of "Bloodborg: The Harvest" submitted to Riot Forge, Curtis Brown Group, and others in 2020 to create the animated series ARCANÉ. Plaintiff further alleges that extensions and spin-offs from Arcane and other projects of Riot Games violated and continue to violate his copyrighted material, including but not limited to, Blood Sweat & Tears ft. Sheryl Lee Ralph music video, and Welcome to Noxus - Bite Marks (ft. TEYA) 2025 Season 1 Cinematic - League of Legends,

Plaintiff asserts that Defendant's animated show and promotional materials derive narrative elements, themes, aesthetics, and character arcs from Plaintiff's copyrighted work.

Plaintiff seeks damages for the harm suffered, statutory damages, and an injunction to prevent further infringement.

1 **1. Pre-Emptive defense against DEFENDANT’S MOTION TO DISMISS**
2 **PURSUANT TO AMENDED COMPLAINT UNDER FEDERAL RULE**
3 **OF CIVIL PROCEDURE 12(B)(6) FOR FAILURE TO STATE A**
4 **CLAIM.**

5 **On January 16, 2025, 19:20 (GMT), Defendant emailed the Plaintiff, the**
6 **“Riot intends to move to dismiss this Amended Complaint under Federal Rule**
7 **of Civil Procedure 12(b)(6) for failure to state a claim.”**

8
9
10 ***THE FULL EMAIL STATED:***

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12
13 *Rule 7-3 Meet and Confer, Case 2:25-cv-00053-FMO-BFM*

14 *Mr. Wolstenholme,*

15 *We have received a copy of your Amended Complaint, which was filed with the*
16 *federal court on January 13. A copy of the Notice of Electronic Filing is attached for your*
17 *reference. In light of the Amended Complaint, Riot’s original motion to dismiss is moot (see*
18 *attached order from the Court).*

19
20 *Riot intends to move to dismiss this Amended Complaint under Federal Rule of*
21 *Civil Procedure 12(b)(6) for failure to state a claim. As to your two copyright claims, you have*
22 *not alleged a plausible claim for relief, including because you have not included any factual*
23 *allegations regarding what protected expression of your work has been infringed by Riot and*
24 *have not included sufficient allegations regarding access (i.e., how you contend Riot received a*
25 *copy of your work), among other deficiencies. As to your two state law claims, they fail to state*
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1 a claim for relief for a few reasons. Your claim for unfair competition is preempted by the U.S.
2 Copyright Act. Your claim for intentional infliction of emotional distress, as far as we
3 understand it, is time barred (outside the statute of limitations), barred by the litigation
4 privilege, and otherwise fails to allege a plausible claim for relief.
5

6 I am happy to discuss these issues further in a telephone call. Please note that
7 our deadline to file our motion to dismiss is January 27. Please let me know if you would like a
8 further phone call to discuss, and if so, please provide your availability to do so.

9 Regarding the other issues you've raised in your recent emails, I will respond in a
10 separate email.

11 Sincerely,

12 Josh Geller”
13
14

15 **2. The Plaintiff Alleges**

16 The Plaintiff alleges that, instead of addressing the complaints, the Defendant is
17 attempting to circumnavigate justice by creating legal technicalities and misrepresenting the
18 claims to further frustrate and cause harm. The plaintiff states for over 3 years, the defendant has
19 failed to investigate his complaints or sufficiently address them. The Plaintiff believes that the
20 endless spurious motions are designed to overwhelm him and make him slip up, missing
21 deadlines or failing to respond to the court. The Plaintiff states that he has 1000s of pieces of
22 evidence to compile into court bundles and the Defendant is aware of this. The defendant had
23 previously threatened to have the case kicked out of court before any hearings and these threats
24 have been provided to the court.
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1 **3. Addressing each section of the email of pending motion.**

2 3a. Mr. Geller wrote. *“We have received a copy of your Amended Complaint,*
3 *which was filed with the federal court on January 13. A copy of the Notice of Electronic Filing*
4 *is attached for your reference. In light of the Amended Complaint, Riot’s original motion to*
5 *dismiss is moot (see attached order from the Court).”*
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7
8 The Plaintiff states that Mr. Geller has had many complaints over many months,
9 ensuring that both he and his client are fully aware of the complaints and the infringements. The
10 Plaintiff was made aware of the Copyright infringement after the release of Arcane on Netflix on
11 the 23rd of November 2021. It would have been impossible for the Plaintiff to be aware of the
12 infringement before this date. The Plaintiff contacted Riot Games the day after. After the 2021
13 threats from the defendant in letters, which have been added to previous declarations, the
14 Plaintiff was wrongly led to believe that he was too weak and vulnerable and too poor to seek
15 legal justice against such a powerful and rich company. The plaintiff was too ill to pursue justice
16 at that time. In better health and mind, the plaintiff filed a complaint with the district court and
17 began these proceedings in October 2024, before the end of the three years, as provided by 17
18 U.S.C. § 507(b).
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21 COMPLAINT WAS FILED ON OCTOBER 31, 2024

22 DEFAULT JUDGMENT FILED JANUARY 07, 2025:

23 COMPLAINT - SHORT FORM: JANUARY 01, 2025

24 AMENDED COMPLAINT FILED: JANUARY 04, 2025- ACCEPTED:

25 Case 2:25-cv-00053-FMO-BFM Amended Complaint filed JANUARY 13, 2025
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1 **3b. Defense Against Rule 12(b)(6) Motion: Failure to State a Claim.**

2 Mr. Geller (defendant) wrote “*As to your two copyright claims, you have not*
3 *alleged a plausible claim for relief, including because you have not included any factual*
4 *allegations regarding what protected expression of your work has been infringed by Riot.*”
5

6
7 ***Introduction:***

8 In response to Riot’s anticipated motion to dismiss the Amended Complaint under
9 Rule 12(b)(6) for failure to state a claim, the plaintiff submits the following defense. Riot argues
10 that the copyright claims are not plausible because the Amended Complaint does not sufficiently
11 identify the protected expression of the plaintiff’s work that has allegedly been infringed.
12 However, the Amended Complaint, when viewed in its entirety and construed in the plaintiff’s
13 favor, states a valid copyright infringement claim with sufficient detail to meet the pleading
14 standards established under Twombly and Iqbal.
15

16 Additionally, On January 13, 2025, the plaintiff filed DECLARATION OF
17 MARC WOLSTENHOLME In Support of Request PLAINTIFF’S OPPOSITION TO
18 DEFENDANT’S MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF CIVIL
19 PROCEDURE 12(B)(6) AND MOTION FOR A MORE DEFINITE STATEMENT
20 PURSUANT TO RULE 12(E).
21

22 In this document, under 17a. Preliminary Evidence section, the Plaintiff listed 100
23 unique examples of narratives, prose, story beats, designs, aesthetics, characters and more, of
24 which is alleged to have been stolen from Bloodborg to make Arcane.
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1 Additionally, under 17b of the same document, the Plaintiff listed 7 examples of
2 Psychosis and mental illness as trauma responses in Bloodborg and Arcane characters- matched.

3 Additionally, JANUARY 15, 2025, the Plaintiff filed DECLARATION OF
4 MARC WOLSTENHOLME OVERVIEW OF CHARACTER EVIDENCE. COMPARISON OF
5 CHARACTERS FROM ARCANE & BLOODBORG. WITH REFERENCE TO POV'S FROM
6 BLOODBORG AND PSYCHO-EMOTIONAL ANALYSIS. VI VS ROOK, PLUS ELEMENTS
7 BORROWED FROM OTHERS IN BLOODBORG. This document is a 38-page overview of the
8 macro structure Comparing Vi of Arcane to Rook of Bloodborg.
9

10 The Plaintiff has provided the Defendant with over 20 videos breaking down
11 every moment of Episode 1 of Arcane to show how and where it was alleged to have been lifted
12 from Bloodborg. In time the Plaintiff will provide both micro and macro evidence of the whole
13 of Arcane.
14

15 **3c. Legal Standard for a Rule 12(b)(6) Motion:**

16 Under Rule 12(b)(6), a court may dismiss a complaint only if it fails to state a
17 claim upon which relief can be granted. The court must assume that all allegations in the
18 complaint are true and must draw all reasonable inferences in favour of the plaintiff. The plaintiff
19 need only present enough facts to make the claim plausible on its face, not to prove the case at
20 this stage. The plaintiff will continue to compile and file masses of evidence, but this will take
21 time. The Supreme Court's rulings in Bell Atlantic Corp. v. Twombly (2007) and Ashcroft v.
22 Iqbal (2009) clarified that while a complaint must provide more than mere "labels and
23 conclusions," it is not necessary to provide detailed factual allegations. Instead, a plaintiff must
24 provide enough factual content to allow the court to infer a plausible claim.
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1 **3d. Copyright Infringement Requirements:**

2 To state a claim for copyright infringement, a plaintiff must show:

3 (a) Ownership of a valid copyright;

4 (b) Copying of constituent elements of the work that are original.

5 The plaintiff's Amended Complaint clearly states ownership of the copyrighted
6 work and alleges that Riot has copied original, protectable elements of that work. The Plaintiff
7 has added a copyright registration case number, and other evidence of Ownership of a valid
8 copyright to this motion. See section for an overview of Ownership of a valid copyright.
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10

11 **3e. Allegation of Copyrighted Expression:**

12 Riot contends that the plaintiff has failed to specify what protected expression has
13 been infringed. However, the Amended Complaint sufficiently identifies the nature of the
14 copyrighted material and the elements that are protectable under copyright law. Additionally, the
15 prelitigation communications have presented substantial evidence over many months.
16 Additionally, other named declarations have presented evidence. More evidence will be
17 presented in this motion. See section 4 for a Structural overview- examples of Substantial
18 Similarities.
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22 **3f. Identification of Original Elements:**

23 The complaint explicitly states 100 elements of Bloodborg alleged to have been
24 used in Arcane accounting for a substantial amount of Arcane. The complaint explicitly
25 describes seven key examples of psychosis and mental illness as trauma responses in Bloodborg
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1 and Arcane characters- matched. This accounts for many of the themes and tones which Arcane
2 has been praised for. Moreover, it is alleged that these elements directly refer to the plaintiff's
3 personal trauma from medical records and this has also been provided to the Defendant.
4

5 Many protectable elements have been listed and explained including characters,
6 POV's story beats, storylines, fictional technologies, aesthetics, dialogue, themes, tone and even
7 two characters being transformed into Bloodborgs, which is the title of the book the plaintiff
8 alleges has been infringed upon. The plaintiff's amended complaint and subsequent documents
9 filed to the court further alleges that Riot's work contains direct and substantial similarities to
10 these elements.
11

12 13 **3g. Substantial Similarity:**

14 Under copyright law, to prove infringement, a plaintiff need only show that the
15 two works are "substantially similar" in protectable elements. It is not necessary at the pleading
16 stage to conduct a detailed side-by-side comparison of every element. The plaintiff has alleged
17 sufficient facts to support the conclusion that substantial similarity exists, including specific
18 elements of the work that have been copied. The complaint includes allegations of specific
19 similarities between the two works, which are sufficiently detailed to establish a prima facie case
20 of substantial similarity at this stage of the proceedings.
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1 **4. Structural overview examples of Substantial Similarities**

2 This is a preliminary factual overview comparison to establish a prima facie
3 case of substantial similarity at this stage of the proceedings.
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5 **4a. World-Building and Setting**

6 *Bloodborg: The Harvest* features a post-apocalyptic world ravaged by
7 environmental collapse, war, and technological manipulation. The narrative is set in a world
8 where blood is the most valuable commodity, and genetic manipulation is rampant. The Ark and
9 Assemblage represent the last bastions of civilization, with giant walls isolating and protecting
10 the elite. New Kowloon is a walled city in the sky (Sunken former Manhattan). High platforms,
11 Gangways, monorails and sky-rails were built to lift the city out of the water and out of the
12 smog-filled underbelly, but even the sky city fell into disrepair and degradation after New
13 Kowloon gained state independence and was shut off from the mainland, causing riots and
14 conflicts coined “The Great Bridge dumping”. New Kowloon now has three main districts,
15 known by many names, Warwick calls the districts, Needles, Tetris and Mouth. The three
16 districts symbolize bipolar and mental illness. Needles, the manic sharp high. Mouth, the deep,
17 dark devouring depressive. And Tetris, the bright and active in between, the normality and vices
18 one uses to mask, regulate and overcome the highs and lows.
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20 *Arcane*: similarly takes place in a dystopian setting, split between the rich city of
21 Piltover and the impoverished, chaotic smog-filled undercity of Zaun. The city is divided by
22 class, with the elite in Piltover using advanced technology to maintain their status, while Zaun is
23 plagued by poverty, corruption, and exploitation. *Arcane*’s representation of these settings is
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1 very different to the LOL games settings. Arcane episode one opens with Zaun being shut off
2 from Piltover, causing riots and conflicts on the Bridge, in which many things are dumped.

3 **Similarity:** Both worlds involve stark class divisions, with the wealthy elite
4 controlling advanced technology, while the poor suffer under harsh smog-filled conditions. Both
5 settings explore the themes of inequality, oppression, and the societal consequences of
6 technological advancement. Both feature isolated enclaves of civilization (Ark, Assemblage,
7 Piltover), while the outside world (the Nullifidian and Zaun) is in chaos. This is further
8 represented in Bloodborg’s layered and cyclical narrative style (also used in Arcane), by creating
9 the same class struggles dynamics between the three districts of New Kowloon. It is further
10 represented with the Under Lanes and the topside, adding a 3-d like worldbuilding literary device
11 (Classes, within classes and cities within cities). The opening scene of Arcane is strikingly
12 similar to “The Great Bridge dumping” of Bloodborg. This is just one of many scenes that will
13 be presented and evidenced during these court proceedings.
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17 **4b. Technology and Cyborgs**

18 **Bloodborg:** The Harvest centers around the creation of Bloodborgs—cybernetic
19 beings that are the ultimate blend of AI, robotics, and human tissue, all made possible by the
20 blood of the youth. Specially selected human blood is the base ingredient in many concoctions
21 and drugs which have different effects based on what they are used for. The main blood drug is
22 called Fetal Sapien Serum. Bloodborgs (creations) serve as the pinnacle of human evolution,
23 with a focus on immortality and control through technology. Fusion energy, teleportation infinity
24 devices and blue electromagnetic balls are central to the storytelling.
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1 **Arcane:** presents a world with advanced technology, particularly in the form of
2 Hextech energy and its blue crystal balls which merge magic and machinery to create powerful
3 devices. Cyborgs in Arcane are less stated, with characters like Jinx, Sevika and Viktor being
4 deeply tied to Shimmer (a blood drug), technology, and themes of control and technological
5 manipulation play a significant role in the storyline. Shimmer is a drug in Arcane, alleged to be
6 remarkably similar to Fetal Sapient Serum and its effects. Jinx in Arcane is kept alive via
7 shimmer. Both Arcane's Viktor and Warwick transform into Bloodborgs via selected blood and
8 shimmer. Viktor calls this the "Glorious Evolution." Glorious Evolution was a "treasured
9 gateway" voice line from the LOL game, which is very different, even unrecognizable to Arcane.
10 Teleportation infinity devices are also in Arcane, one being a device embedded in Jayce's
11 forearm, and another called hexgates.

12 **Similarity:** Both works explore the idea of humanity merging with blood
13 technology, with *Bloodborg: The Harvest* showcasing literal cyborgs and bloodborgs and Arcane
14 depicting characters whose fates are entwined with powerful technological artefacts, cyborg
15 advancements and bloodborgs. Both stories question the morality and consequences of such
16 advancements. These stories have hundreds of remarkable similarities in deeply complex and
17 very specific ways. Both stories share the same tones, themes, settings, chapters, cyclical
18 storytelling, POV's, characters (different from the games), repetitive trauma writing and duality
19 in both linear and abstract ways.

1 **4c. Characterization and Protagonists**

2 **Bloodborg:** The Harvest features a range of protagonists who are each struggling
3 with personal conflict and external pressure. Characters like Josh Kimble, Warwick, and D’borg
4 deal with issues of identity, trauma, and betrayal. Josh, for instance, is radicalized against the
5 Ark, while D’borg struggles with her cyborg identity and past trauma. Each of the Pov characters
6 and some others are being manipulated and radicalized to action via their predicaments or via an
7 in-brain higher being.
8

9 **Arcane:** also has a cast of complex characters dealing with personal struggles and
10 moral ambiguity. Vi and Jinx (formerly Powder) are central figures whose complicated
11 relationship and past trauma drive much of the narrative. Vi struggles with loyalty, family, and
12 justice, while Jinx grapples with abandonment and madness. Each of the POV characters are
13 being manipulated and radicalized to action via their predicaments and via others, some via an
14 in-brain higher being.
15

16 **Similarity:** Both Bloodborg and Arcane feature protagonists who are struggling
17 with internal conflicts and past trauma, often leading them down paths of rebellion or
18 destruction. The theme of personal growth and change is central to both narratives, and the
19 characters’ journeys revolve around navigating complex, morally grey situations. Each character
20 can and will be explained and compared to their alleged counterparts in many documents of
21 evidence. In both works, the storytelling shows how each of the characters are being manipulated
22 and radicalized to action via their predicaments and via others. In both works, trauma is central
23 to the plots, and it is alleged that this is the trauma writing of the Plaintiff’s actual real-life
24 struggles and traumas.
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4d Themes of Rebellion and Control

Bloodborg: The Harvest explores themes of rebellion against oppressive systems.

Teki Nagasaki and B are leading a resistance against the Founding Families, who are manipulating the population to build their vision of a perfect world through control of blood and technology. People can use Vada in-brain and Deep Root to contact Gaia and higher consciousness. People can be controlled via Vada in-brain and Deep Root. In Bloodborg's African Child's POV, Neva- Leader of the tribe- loses a child, and searches inside the higher realms for her dead baby. Mother Gaia sees her unwavering motherly love, determination and devotion. Mother Gaia sees that Neva is worthy of raising and protecting the earth child. Gaia sends a white-eyed child of great importance from the higher consciousness to earth to help save the planet and human race.

Arcane: similarly delves into rebellion, with characters like Vi and Jinx rebelling against the oppressive control of the Piltover elite, particularly the corrupt use of Hextech. The conflict between the rich and poor, and the desire to break free from systemic oppression, is a central theme in Arcane. Viktor travels to higher consciousness and is able to control people from it. The Arcane is a Gaia-like metaphysical presence. In the Blood sweat and Tear music video, which is an extension of Arcane, Ambessa Medarda loses a child in the same manner. Ambessa visits the higher realms and is gifted a white-eyed child of great importance. This child grows up to be Mel in Arcane.

Similarity: Both works examine the tension between the oppressed and the elite, exploring rebellion as a response to an unfair societal structure. Both feature underground

1 movements and characters who fight against forces of control, with a central question of how far
2 one is willing to go in the pursuit of justice and change. Both stories have bloodbogs, both have
3 higher consciousness, both have the white-eyed child of great importance, both settings or
4 worlds are being manipulated and controlled. Both have a resistance hidden deep in the
5 underbelly of the cities.
6

7 8 **4e. Tone and Narrative Structure**

9 **Bloodborg:** The Harvest uses a complex, non-linear narrative with multiple
10 POVs. It shifts between different times (future past, present, future present) and locations (New
11 Kowloon, Dunkirk, Coventry, Africa etc.), giving a sense of an expansive, interconnected world.
12 The tone is dark and dystopian, focusing on the bleakness of the future and the corruption
13 inherent in the society that has evolved. Circler narratives of trauma drive the characters and plot
14 and set the tone.
15

16 **Arcane:** also employs a narrative structure with multiple perspectives,
17 particularly focusing on the relationship between Vi and Jinx, while also exploring other key
18 characters such as Caitlyn and Silco. The tone is similarly dark, dealing with themes of betrayal,
19 family, and the destructive impact of power. While Arcane follows a more traditional episodic
20 structure, it still conveys an expansive narrative arc and intricate character development in a
21 POV like manner and many of these POV's mirror those of Bloodborg. Circler narratives of the
22 same traumas drive the characters and plot and set the tone.
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25 **Similarity:** Both works share a dark tone and feature expansive, layered
26 narratives that explore trauma, loss, societal corruption and the impact of power. They also both
27

1 present the idea of multiple intersecting lives, where personal stories affect larger societal
2 change.

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5 **Conclusion: Substantial Similarity**

6 Both Bloodborg: The Harvest and Arcane share several common themes and
7 elements, notably:

8 The same trauma and loss and repetitive visiting of these traumas to show
9 intrusion like flashbacks of people suffering with PTSD.

10 A dystopian smog-filled setting marked by stark class divides.

11 The exploration of the blending of humans and machines (cyborgs, advanced
12 technology) with blood engineering to make Bloodborgs.

13 Characters struggling with personal trauma and the consequences of their choices,
14 particularly in relation to rebellion and resistance.

15 Complex narratives with shifting timelines and multiple perspectives.

16 Blood drugs and serums to control, mutate and advance humans.

17 Higher consciousness and in-brain controlling and communicating.

18 Ther white-eyed child of great importance.

19 While Bloodborg leans more heavily into cyberpunk and the concept of bio-
20 cybernetic warfare, and earth magic, and Arcane incorporates elements of magic and mysticism
21 with its Hextech technology, the underlying themes of societal decay, rebellion, and the moral
22 cost of technological advancement tie both works together. Many of the different features are
23 alleged to be changes in names, colors or other markers, to hide their origins. Such as, Fusion to
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1 Hextech, The Rupture to the anomaly, white eyed boy to white eyed girl, windy assassin to
2 whispering in low tones, neurotransmitter drugs administered in the eye instead of inhaling, Wu
3 and Ling Zhang's trading shop to Benzo and his trading shop, Sant'teon to Viktor Jesus,
4 Pinnacle of creation to glorious evolution, hyenas to wolves, and so on. These similarities make
5 Bloodborg: The Harvest and Arcane substantially similar in terms of their core narrative
6 elements, themes, and the type of conflict explored, despite the differing settings and specific
7 plot details, which are alleged to be changes to fit and fix cardboard characters from LOL games
8 and to align their nonsensical and incongruent backstories and cannon lore.
9

10
11 It should be noted that now, post receipt of Bloodborg: The Harvest by M.W.
12 Wolf, Riot Games have retconned much of their inconsistent lore and backstories to align with
13 Arcane. Moreover, Arcane and its characters are now deeply embedded into all of Riot Games
14 products and merchandise.

15 This is a tiny Structural overview providing examples of Substantial Similarities.
16 Substantial Similarities expand much wider than what has been presented in this motion to
17 establish a prima facie case of substantial similarity at this stage of the proceedings.
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1 **5. Ownership of the work in question.**

2 The Plaintiff will evidence the creation and ownership of Bloodborg: The Harvest
3 via many sources dating back to late summer/ fall of 2014. At this time the Plaintiff was working
4 on his first novel, Buried at Bedlam. Whilst the process began in 2014, the formal drafting of
5 Bloodborg: The Harvest took place between 2028 and 2019. From late 2019 to Spring 2020,
6 query submissions were sent to agents and Riot Forge.

7
8 In the Uk, The Copyright Act of 1976 provides the framework for protecting
9 original works of authorship, including literary works, against unauthorized use. In the Uk
10 Automatic Protection is granted. Under 17 U.S.C. § 501, any violation of the exclusive rights of
11 a copyright owner constitutes infringement. These exclusive rights include reproduction,
12 distribution, public performance, public display, and preparation of derivative works.

13
14 The Plaintiff cites both the Berne Convention and the WIPO Copyright Treaty.
15 Article 5(2) of the Berne Convention explicitly states that enjoyment and exercise of copyright
16 "shall not be subject to any formality," meaning registration is not required to gain protection.
17

18 Additionally, The Plaintiff has learnt that his work may still be required to be
19 registered under US copyright. The Plaintiff has filed a 10-book unpublished copyright
20 registration, citing 2025 as the completion of the last book as required by law. Bloodborg: The
21 Harvest (of which this copyright case stands) is the second of these 10 books, written between
22 2018 and 2019. The case number for this **copyright registration document is: 1-14654214871**.
23
24 The Plaintiff has filed an AO 121 (January 17th 2025).

1 **5a, Water damaged notes dating back to 2014.**

2 Development of ideas and concepts and narratives for Bloodborg: The Harvest
3 began in 2014, with a hypnogogic dream. The plaintiff woke up in the middle of
4 the night and scribbled down much of his dream visions (Exhibit A).
5

6
7 **5b. Formal drafting of Bloodborg: The Harvest.**

8 The formal drafting of Bloodborg: The Harvest took place between 2028 and
9 2019. By then Bloodborg had its own notebook. This notebook is extensive,
10 detailing the development and notes of the whole process of creating and writing
11 Bloodborg: The Harvest. This notebook includes a list of submissions to Literary,
12 Film and Gaming talent agencies, including dates of submission. The Plaintiff
13 will highlight key avenues in which Riot Games had access to the Plaintiff's work
14 and submissions (Exhibit B).
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18 **5c. Digital Evidence of Ownership.**

19 The Plaintiff can show digital creation of Bloodborg: The Harvest, with meta data
20 of word documents, chronologies of the M.W. Wolf catalogue of fiction and text message
21 communications about working on Bloodborg, and an editorial letter, offer of representation
22 (Exhibit C).
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1 **5d. Digital Evidence submissions.**

2 The Plaintiff will evidence digital forensics of submissions. Additionally, the
3 plaintiff will highlight many avenues in which Riot had access to the plaintiff's work, as well as
4 working relationships between Riot Games and agencies who had full access to all of the
5 manuscript in question (Exhibit D).
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7
8 **5e. Highlighting Ongoing Copyright Concerns.**

9 The Plaintiff will highlight Uk based complaints of alleged Copyright
10 infringements of the M.W. Wolf catalogue of fiction, against Jonny Geller and Felicity Blunt of
11 Curtis Brown Group, now a subsidiary of United Talent Agency (UTA). Many of these
12 infringements are alleged to have also been sold to Netflix, where Arcane was distributed
13 (Exhibit E).
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1 **6. Factual Support:**

2 The plaintiff has provided factual support for the copyright infringement claim,
3 including:

4 Ownership of the work in question;

5 A description of many of the protectable elements of the work;

6 Allegations of access and substantial similarity between Riot's work and the
7 protectable elements of the plaintiff's work;

8 Specific examples of how Riot's work infringes upon those elements.
9

10 These allegations go beyond mere conclusions and provide factual content
11 sufficient to give Riot fair notice of the claims against it and the grounds upon which those
12 claims rest.
13

14 **7. Leave to Amend if Necessary:**

15 If the court concludes that additional detail is required, the plaintiff requests leave
16 to amend the complaint to provide further specificity regarding the protectable elements of the
17 copyrighted work and the alleged infringement. Courts generally allow amendments unless it
18 would be futile to do so, and the Plaintiff believes he has stated many reasons why it is not.
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1 **8. LEGAL STANDARD**

2 Under Rule 12(b)(6), a complaint should not be dismissed unless it fails to state a
3 claim upon which relief can be granted. The Court must accept all factual allegations as true and
4 draw all reasonable inferences in favor of the Plaintiff. (Ashcroft v. Iqbal, 556 U.S. 662, 678
5 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). A complaint need only include
6 "a short and plain statement of the claim showing that the pleader is entitled to relief" (Fed. R.
7 Civ. P. 8(a)(2)).
8

9 Under Rule 12(e), a motion for a more definite statement is appropriate only if a
10 complaint is "so vague or ambiguous that the party cannot reasonably prepare a response." Such
11 motions are disfavored because the federal rules favor liberal pleading standards and pretrial
12 discovery as the primary means for clarifying claims.
13
14

15 **8a. Accommodations for Pro Se Litigants in U.S. Courts**

16 Plaintiff in Pro Per is a UK citizen, uneducated in, and unexposed to, U.S. district
17 and federal legal systems and laws. The plaintiff does not plead ignorance, but is trying to
18 rapidly respect, learn and adhere to all district and federal laws and requirements. The plaintiff
19 respectfully asks the court to note the limitations and disadvantages, but also to make reasonable
20 adjustments for the plaintiff's personal vulnerabilities, disabilities (Complex PTSD and
21 comorbid illnesses) and learning difference of dyslexia.
22
23

24 Plaintiff cites the Federal Court's Duty to Construe Pro Se Pleadings Liberally. In
25 U.S. federal courts, pro se litigants are entitled to certain accommodations. Courts are required to
26 construe pro se filings liberally to ensure fairness.
27
28

Key Case Law:

Haines v. Kerner, 404 U.S. 519 (1972): Established that pro se pleadings are held to "less stringent standards" than those drafted by attorneys.

Erickson v. Pardus, 551 U.S. 89 (2007): Reaffirmed the principle of liberal interpretation for pro se filings, emphasizing that courts must review filings in the most favorable light to the litigant.

1 **8b. Reasonable Accommodations Under the ADA.**

2 The Plaintiff has limitations and disabilities that affect his ability to litigate
3 effectively, these can be evidenced on request of the court if required. The Plaintiff asserts that
4 under the Americans with Disabilities Act (ADA), and by extension shared laws, ethical and
5 value standards, he may be entitled to reasonable accommodations but will endeavor to meet and
6 respect all requirements of the court.
7

8 Reasonable Adjustments:

9 Extensions for filing deadlines.

10 Allowing non-standard forms of communication, such as email, for submitting
11 documents.
12

13 Granting additional guidance or leniency in procedural matters.

14 Granting mediation and protection from bullying and aggressive legal strategies
15 of the defendant to evade lawful processes, to complicate the cases and to build falsehoods,
16 unfair court bundles and undo stress and burden on the Plaintiff.
17

18
19 **9. Conclusion:**

20 For the foregoing reasons, the plaintiff respectfully requests that the defendant's
21 motion to dismiss under Rule 12(b)(6) be denied. The Amended Complaint, taken as a whole,
22 sets forth a plausible claim for copyright infringement and meets the required standard for
23 pleading. Moreover, more details of factual allegations regarding what protected expression of
24 Bloodborg has been infringed by Riot Games have been added to this motion (4. Structural
25 overview examples of Substantial Similarities). Moreover, Plaintiff has spent many months
26
27

1 informing the defendant of 1000s of elements of infringement, and it will take many months
2 more to collate all of the evidence. The complaint alleges that Riot had access to the plaintiff's
3 work, given its widespread dissemination and submission to Riot Forge on April 15 & 19th 2020.
4 Additionally, the work was submitted to Curtis Brown group who can be shown to have a
5 working relationship with Riot Games.
6

7 Plaintiff possesses substantial evidence, including:

- 8 • **UK & US Copyright registration** details for "Bloodborg: The Harvest"
- 9 • **Submissions of Copyrighted** material with dates and times.
- 10 • **Comparative analyses** demonstrating substantial similarities between
11 Plaintiff's work and Defendant's animated series "Arcane" & "Blood Sweat & Tears Official
12 Music Video." & "Welcome to Noxus - Bite Marks."
13 • **Communications with Riot Games** and its subsidiaries, including Riot
14 Forge, that demonstrate Defendant's awareness of Plaintiff's work.
15 • **Medical Records of the Plaintiff** paired to a Psycho-Emotional Analysis
16 of Trauma in Arcane, demonstrating how it matches therapy of trauma writing used in
17 Bloodborg, from medical records.
18 • **Records of bad faith negotiations** and legal threats and hate mail which
19 exacerbated Plaintiff's emotional distress.
20
21
22

23
24 For the reasons set forth below, the Court should deny Defendant's Motion to
25 Dismiss or, alternatively, grant Plaintiff leave to amend the Complaint.
26

1 The Plaintiff, Marc Wolstenholme, M.W. Wolf.

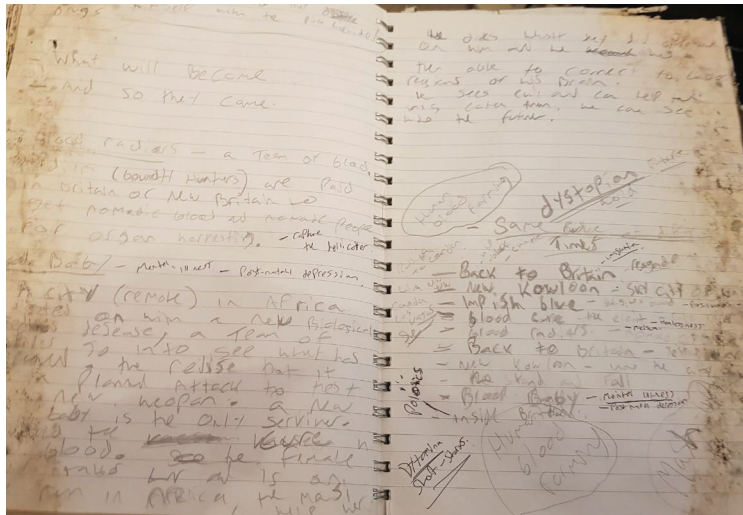
2 Date: JANUARY 17, 2025

3 Signed: *M. WOLSTENHOLME*
4

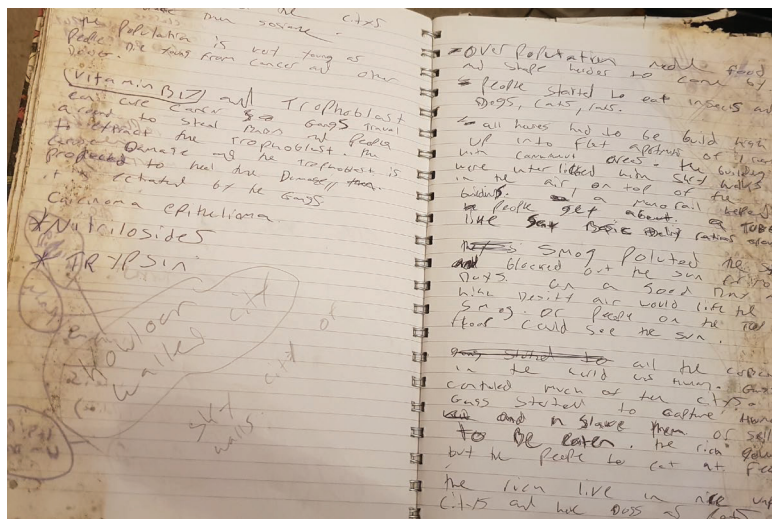
Exhibits

Exhibit A- Water damaged notes dating back to 2014.

A1.



A2.



A3.

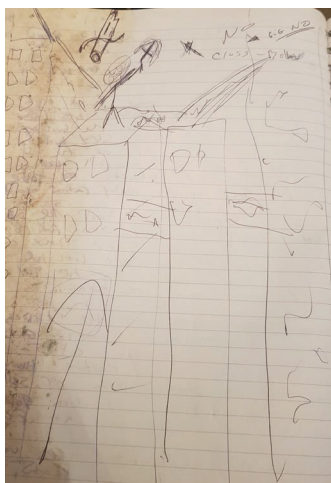
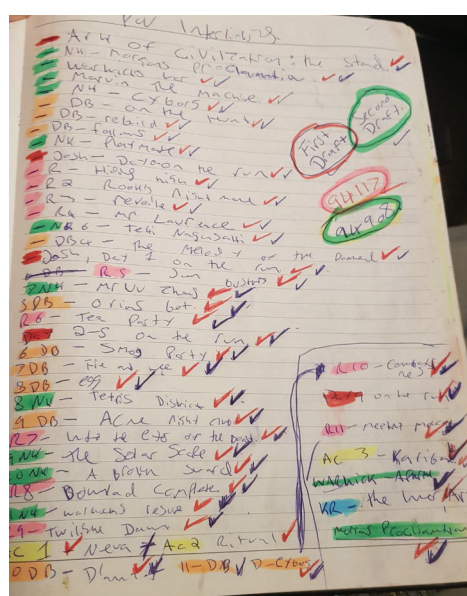
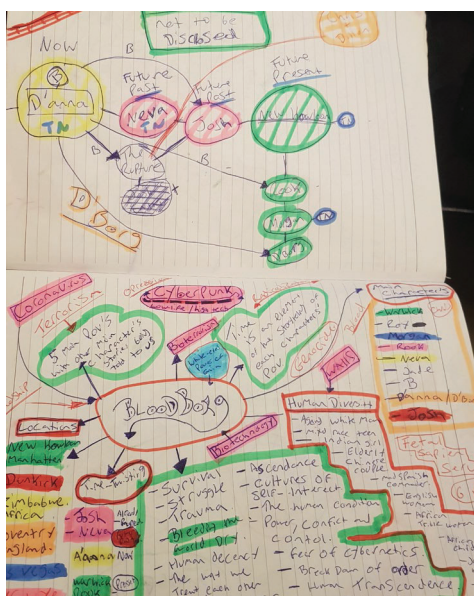


Exhibit B- Formal drafting of Bloodborg: The Harvest.

B1.



B2. List of submissions to Literary, Film and Gaming talent agencies, including dates of submission. This shows that Bloodborg was submitted to Riot Forge on the 15th & 19th of April.

Submissions

- + Daw (15/04/2020) X
- Darhansoff + Verrill (the Sable Agency) 15/04/2020
- + Curtis Brown X creative. c. (Brisant Faint) 15/04/2020
- + Austin Macaulay Publishers 15/04/2020
- + Darkflow + Nesbit UK 15/04/2020
- + Madeline Milburn 15/04/2020
- Berget / Dove Authors X
- + Jagboer woch / Literary Agency 15/04/2020
- Harper Collins Publisher UK X
- Zero Agency Ltd. X
- Riot Forge 15 - 19

The Agency.

ATKIN ALEXANDER ASSOCIATES

- + A. M. HEATH. - Ol. Munson 15/04/2020 X
- + The AMPERSAND AGENCY LTD 15/04/2020 X
- Janie Carr. - 15/04/2020 X

15 for science and fantasy R. S. L.

Submissions

- + Andrew Lownie 15/04/2020
- + Andrew Nungus Associates 15/04/2020
- + Bell Linnat Moreta. 15/04/2020
- + Blake GRIEDMANN. 15/04/2020
- + CORVILLE + WISH 15/04/2020
- + Snd to Alexender 15/04/2020
- + DIAMOND 15/04/2020
- + MGA. Literary. 15/04/2020
- + Rogers Corridge white 15/04/2020
- + Susana Lee Associates 15/04/2020
- + United Agents 15/04/2020
- + Look again 15/04/2020
- + The VINEY Agency. 15/04/2020
- + Watson, Little Ltd. 15/04/2020
- + William Morris Endeavor 15/04/2020
- + WIPIT 15/04/2020
- + WIPIT 15/04/2020

15 for science and fantasy R. S. L.

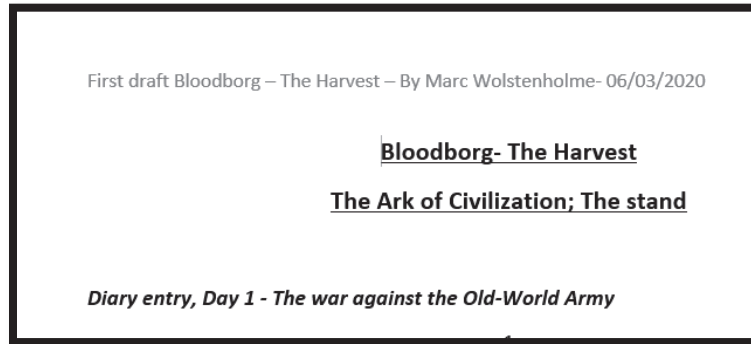
PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS PURSUANT

Exhibit C- Digital Evidence of Ownership.

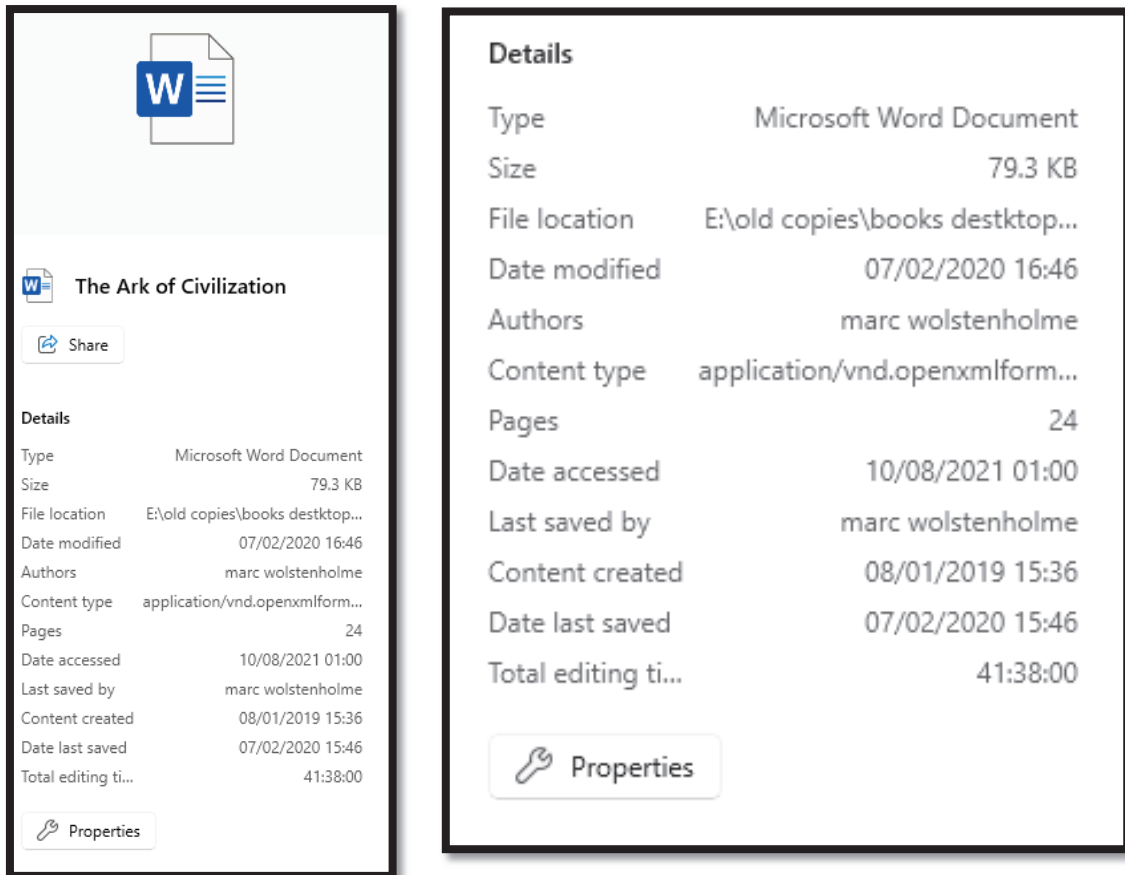
C1- Stored copies of word documents.			
Search Results in Transcend (F:) >			
<div> </div>			
Date modified: 17/10/2024 02:13			
	2. Human Blood Farming- Bloodborg	F:\books desktop	
Date modified: 19/12/2023 19:32			
	Bloodborg- The Harvest	F:\books desktop\2. Human Blood Farming- Blood...	Size: 384 KB Authors: marc wolstenholme
Date modified: 21/06/2023 23:39			
	Bloodborg- The Harvest	F:\books\Human Blood Farming- Bloodborg	Size: 394 KB Authors: marc wolstenholme
Date modified: 07/10/2022 00:46			
	Viktor is becoming a bloodborg	F:\books desktop\2. Human Blood Farming- Blood...	Size: 343 KB Authors: marc wolstenholme
Date modified: 04/12/2021 23:46			
	The streets of Zaun matched up to Blood...	F:\books desktop\2. Human Blood Farming- Blood...	Size: 1.29 MB Authors: marc wolstenholme
Date modified: 01/12/2021 20:13			
	chapter of Bloodborg called Orion's belt	F:\books desktop\2. Human Blood Farming- Blood...	Size: 341 KB Authors: marc wolstenholme
Date modified: 01/12/2021 00:51			
	Bloodborg- The Harvest	F:\books desktop\2. Human Blood Farming- Blood...	Size: 392 KB Authors: marc wolstenholme
Date modified: 30/11/2021 20:45			
	Agents Bloodborg was sent to	F:\books desktop\2. Human Blood Farming- Blood...	Size: 15.9 KB Authors: marc wolstenholme
Date modified: 29/11/2021 21:58			
	16 World building from Bloodborg	F:\books desktop\2. Human Blood Farming- Blood...	Size: 1.12 MB Authors: marc wolstenholme
Date modified: 28/11/2021 20:40			
	Bloodborg Editing letter.	Type: PNG File Dimensions: 617 x 450	Size: 107 KB
	Bloodborg edit letter	F:\books desktop\2. Human Blood Farming- Blood...	Size: 572 KB Authors: marc wolstenholme
Date modified: 27/11/2021 14:55			
	Letter for Bloodborg	F:\books desktop\2. Human Blood Farming- Blood...	Size: 16.0 KB Authors: marc wolstenholme
Date modified: 24/11/2021 16:55			
	Bloodborg 10,000	F:\books desktop\2. Human Blood Farming- Blood...	Size: 47.1 KB Authors: marc wolstenholme
Date modified: 23/08/2021 15:48			
	Bloodborg 10,000 (2)	F:\books desktop\2. Human Blood Farming- Blood...	Size: 45.7 KB Authors: marc wolstenholme
Date modified: 18/09/2020 21:44			
	Bloodborg 10,000	F:\books desktop\2. Human Blood Farming- Blood...	Size: 45.7 KB Authors: marc wolstenholme
Date modified: 18/09/2020 21:44			
	Bloodborg 10,000	F:\books\Human Blood Farming- Bloodborg\submi...	Size: 45.7 KB Authors: marc wolstenholme
Date modified: 15/04/2020 21:54			
	Bloodborg- First draft - Copy	F:\books desktop\2. Human Blood Farming- Blood...	Size: 295 KB Authors: marc wolstenholme
Date modified: 15/03/2020 15:40			
	Bloodborg- First draft - Copy	F:\books\Human Blood Farming- Bloodborg\cuts	Size: 295 KB Authors: marc wolstenholme
Date modified: 15/03/2020 15:40			

C2- First draft sent off record.

Bloodborg was written on a laptop which is now not working. The Plaintiff will endeavor to recover the original documents dating 2018. C2 shows first draft sent off in March 2020.



C3- The Ark of Civilization is Josh's POV, this copy dates January 2019



C4- WhatsApp records between Plaintiff and his ex-girlfriend detailing the date the working title of Blood Harvesting was changed to the set title of Bloodborg, which refers to the cyborg like creations with complex blood engineering.

23/09/2019, 20:37 - Ali: Did u mean to voicecall them?
 24/09/2019, 00:37 - Marc: **Bloodborg**
 24/09/2019, 00:37 - Marc: That's the name of the blood harvesting books
 24/09/2019, 07:34 - Ali: Sounds good... i like 'Bloodvest'.
 24/09/2019, 07:45 - Marc: That's sounds like a Halloween festival ride
 24/09/2019, 07:45 - Marc: A cheap one

C5- Chronologies of the M.W. Wolf catalogue

Date of Creation/Ownership List of M.W. Wolf Books

Table 1 – Chronology of Creation of M.W. Wolf Books.

<i>Dates written</i>	<i>Titles</i>	<i>Evidence</i>
<i>August 2014 - August 2018.</i>	Buried at Bedlam: After the Black by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, Editorial Report 4, Rejections
<i>2018- 2019</i>	Bloodborg: The Harvest by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, Editorial Report 4, offer for representation
<i>Late 2019</i>	Six Dead Orphans (Short Shory) by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, Rejections
<i>Summer 2020- Jan 2021</i>	Our Fathers by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, Rejections
<i>1st of April 2021- Jul 2021</i>	The Shameful Kiss by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, dates mentioned in queries. 3, Rejections
<i>Second Half of 2021</i>	False Alligators & Wind-up Dolls (satire) by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion.

1 2 3 4 5 6 7 8	<i>Jan 2022- April 2022</i>	Mississippi Sleepers: A Woman Reborn by Marc Wolstenholme (M.W Wolf Ltd)	1, Meta data of word documents 2, Emails sent after completion. 3, Rejections
9 10 11 12 13 14 15 16 17	<i>Late 2019 but mostly second half of 2022.</i>	Carnophobia: The Wandering (composite novel) by Marc Wolstenholme (M.W Wolf Ltd).	1, Meta data of word documents 2, Emails sent after completion. 3, Rejections
18 19 20 21 22 23 24 25 26 27 28	<i>July 2022 but most of it was written in Dec 2022.</i>	The Ballad of Wuthering Descent by Marc Wolstenholme (M.W Wolf Ltd). With a list of M. W. Wolf planned books sent to one agent.	1, Meta data of word documents 2, Emails sent after completion. 3, Rejections 4, Showcase documentation
	<i>May 2023</i>	Lang The Orangutan by Marc Wolstenholme (M.W Wolf Ltd).	1, Meta data of word documents 2, Emails sent after completion 3, Power Point presentation
	<i>April, Jun 2023- Dec 2023</i>	Bee My Agent; Blood and Honey by Marc Wolstenholme (M.W Wolf Ltd).	1, Meta data of word documents 2, Emails sent during and after completion. 3, Power Point presentation 4, Curtis Brown Creative course
	<i>Nov 2023- August 2024</i>	The Fateless Child: Tainted Blood	1, Meta data of word documents 2, Emails sent during and after completion. 3, Power Point presentations 4, Website and X page

Date of Creation/Ownership List of M.W. Wolf Books

Table 1 (continued)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<i>1st March 2024</i>	God's Masterful Evasion & The Inverted Organelle Theory of Consciousness and The Universe (IO-CU). The Theory of Everything	1, Meta data of word documents 2, Emails sent during and after completion. 3, Power Point presentations 4, Website and X page
	<i>March 2024</i>	Lang The Orangutan AI illustrations by M.W. Wolf	1, Meta data of word documents 2, Emails sent during and after completion.

8th March 2024

<https://www.mwwolf-fiction.co.uk/> by Marc Wolstenholme (M.W Wolf Ltd).

3, Power Point presentations
4, Website and X page
1, Domine
2, Meta data
3, Profile

C6- Chronologies of Bloodborg shared with Curtis Brown Group.

Second Book: Chronology of Bloodborg: The Harvest.

Date of Creation/Ownership: Marc Wolstenholme. Bloodborg: The Harvest by M.W Wolf Ltd between 2018- 2019. Meta data of word documents will confirm this, as will emails sent after completion. Editorial Report and offer for representation will also ownership.

Table 3 – Chronology of Bloodborg: The Harvest shared with CBG.

<u>DATE</u>	<u>EVENT</u>	<u>Evidence</u>
15 Apr 2020	Wed, 15 Apr 2020 at 22:21 I submitted Bloodborg to Felicity Blunt Curtis Brown Group. cbcsubmissions@curtisbrown.co.uk An email confirming receipt was received titled - Thank You for Your Submission: Bloodborg: The Harvest	BBE7
15 Apr 2020	Wed, 15 Apr 2020 at 22:31 I submitted Bloodborg to submissions@austinmacauley.com	BBE8

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p><i>9 Jun 2020</i></p> <p><i>24 Jun 2020</i></p> <p><i>23 Feb 2021</i></p> <p><i>16 Apr 2021</i></p> <p><i>24 Nov 2021</i></p> <p><i>23 Jul 2023</i></p>	<p>Tue, 9 Jun 2020 at 15:28 I received a rejection email from cbcsubmissions@curtisbrown.co.uk tilted- Submission review results</p> <p>Wed, 24 Jun 2020 at 12:43- received the letter from the Editorial Board of Austin Macauley</p> <p>Tue, 23 Feb 2021 at 22:33 I submitted Bloodborg to Ciara Finan (Jonny Geller's assistant). ciara.finan@curtisbrown.co.uk</p> <p>Fri, 16 Apr 2021 at 18:08- Rejection from Ciara Finan</p> <p>Wed, 24 Nov 2021 at 18:24 I submitted Bloodborg to Geller Office Submissions gellerofficesubmissions@curtisbrown.co.uk</p> <p>I also informed him that Arcane, an animated Netflix series, seemed to have taken my Bloodborg manuscript and modified it into their own productions.</p> <p>Sun, 23 Jul 2023 at 21:23- I resubmitted a different part of Bloodborg to Geller Office Submissions. This was also the first time I told him about Bee My Agent</p>	<p>BBE9</p> <p>BBE10 & BBE 11</p> <p>BBE12</p> <p>BBE13</p> <p>BBE14 &BBE 15</p> <p>BBE16 & BBE 17</p>
---	--	---	--

**C7- Austin Macauley Publishers Letter for offer of representation of
Bloodborg (June 2020).**

Page 1

Find text or tools Q

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+44 (0) 207 038 8100

Marc Wolstenholme
7 Malthouse Crescent
Inkberrow
Worcestershire
WR7 4EF

24th June 2020

Dear Mr Wolstenholme,

RE: 'Bloodborg: The Harvest'

Your manuscript was brought to our attention at the latest Editorial Board meeting when we discussed the potential and possibility of it being published. Having read all the reports and taken note of the Editors' opinions we can confidently state that your work was found to be a gripping and intricate narrative. The vivid and colourful prose will captivate readers drawing them into the story and holding them until the very end. The intriguing and multifaceted plot will leave readers anxious anticipating the characters fate – as well as the fate of the world – as they are taken on an extraordinary and fantastic adventure. The Board enjoyed 'Bloodborg: The Harvest' and believe it will be well received by a contemporary audience.

Since then, we have held a separate meeting with our Marketing team to explore the possibilities regarding sales and target audiences. There were certain reservations put forward concerning the fact that this would be the work of a relatively new author and would be of some risk to us as your publishers. To this end, we are not able to offer you a non-contributory contract.

We do, however, very much feel your work deserves to be published and given the opportunity to be launched for the reading public. We would like to offer you a contributory contract, thereby creating a partnership. The amount requested is a partial sum towards the considerable costs involved in publishing and then marketing the book, with its vital media coverage. This indicates that we are also invested in your book and that it is in our shared interest to endeavour towards its success.

We the pleasure of sending a contract for you to view and sign should you so wish. The contract has been tailored with the objective of being fair to both parties.

The contributory amount is stated in Clause 15 under 'Advances'. This figure is a one-off finite amount. The Accounts Department are very helpful in arranging monthly instalments, should this be required. Please tick whichever option you would prefer for your publication. We are excited to be able to offer a book trailer and author website with our agreement, as we find these to be invaluable tools when promoting your work. In addition, we are pleased to offer audiobooks as part of this package.

At Austin Macauley we feel that our authors' involvement in the production process is essential in ensuring the high quality of our publications. Our contributory contracts utilise entirely traditional production methods including typesetting, house-styling, editing, proofreading, cover design, blurb and press release content, and official registration of the ISBN. Once we have received the signed contract our Production Department will then put the whole publication process into operation.

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Page 2



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As the book approaches its publication date our Marketing Department will instigate a promotional strategy geared towards the specific genre and target audience of the book to maximise sales worldwide. This again is something which will be discussed in depth with you once we have accepted your work for publication.

We take great pride in what we do, and we feel that it is important for all prospective authors to fully understand what Austin Macauley hopes to achieve for every contract we offer. Our continuing success is best illustrated as we grow as a business. Our current offices in London, New York and Sharjah, and the opening of our premises in Sydney and Toronto will help support the promotion of your book in these territories. Our US office has been acclaimed with the prestigious title in Publishers Weekly as one of 2018's Fastest Growing Publishers – an award that offers testimony that we are indeed leading our authors down the right path.

Should there be anything you may wish to discuss please do not hesitate to contact us.

We would now like to take this opportunity to congratulate you on your writing which we look forward to seeing in print.

Yours sincerely,
For and On Behalf of the Board of Editors at Austin Macauley

Michelle Vagi (Executive Editor)
Alexander Holiday (Head of Editorial)
Jade Robertson (International Publishing Director)

Exhibit D- Digital Evidence submissions.

Bloodborg was discussed with agents and people in the literary industry throughout 2019. People at Curtis Brown Group, notably Felicity Blunt and Jonny Geller, were made aware of Bloodborg during this period. However, formal submissions widely took place from the 15th of April 2020.

D1- Log of email submissions from 15th of April 2020.

1	---				
2		☆	Reminder: Bloodborg: The Harvest	Austin Publishers sent you a document to review	Inbox 01/07/2020
3		☆	Bloodborg: The Harvest	Austin Publishers sent you a document to review	Book Submi... 24/06/2020
4		★	Bloodborg: The Harvest	...Mr Wolstenholme, RE: 'Bloodborg: The Harvest' Your	Book Submi... 24/06/2020
5		★	Submission review results	...Thank you for sending in Bloodborg: The Harvest and for	Book Submi... 09/06/2020
6		★	Submissions Marc Wolstenholme / Bloodborg: The Harvest	2 ...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi... 09/06/2020
7		★	QUERY- Bloodborg: The Harvest	2 ...[UK] Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi... 08/05/2020
8		★	Submission-Bloodborg: The Harvest by Marc Wolstenholme	2 Thank you for sending this material, but it isn't	Book Submi... 07/05/2020
9		★	RE: SUBMISSION "Bloodborg: The Harvest"	...Subject: SUBMISSION "Bloodborg: The Harvest" Title of	Book Submi... 01/05/2020
10		★	submissions Marc Wolstenholme/ Bloodborg: The Harvest	3 ...Marc Wolstenholme/ Bloodborg: The Harvest From: Marc	Book Submi... 22/04/2020
11		☆	RE: 'Bloodborg: The Harvest'	3 ...Subject: RE: 'Bloodborg: The Harvest' Morning	Book Submi... 22/04/2020
12		★	Submission of Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi... 18/04/2020
13		★	submissions- Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi... 18/04/2020
14		☆	Failure Notice	...Marc Wolstenholme/ Bloodborg: The Harvest	Inbox 15/04/2020
15		★	Submissions Marc Wolstenholme/ Bloodborg: The Harvest	...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi... 15/04/2020
16		☆	Your submission to A.M. Heath	...for choosing to submit "Bloodborg: The Harvest" to Oli	Inbox 15/04/2020
17		★	Confirmation of receipt Re: Marc Wolstenholme/ Bloodborg: The Harvest	FOA Madeleine Milburn or Catherine Cho. Thank you ...	Book Submi... 15/04/2020
18		★	Marc Wolstenholme/ Bloodborg: The Harvest	FOA Madeleine Milburn or Catherine Cho. ...Book: Bloodborg: The Harvest, Cyber...	Book Submi... 15/04/2020
19		★	Automatic reply: Marc Wolstenholme/ Bloodborg: The Harvest/ Will Francis	Thank you so much for choosing to send your	Book Submi... 15/04/2020
20		★	New Submission 15/03/2020	Bloodborg: The Harvest Synopsis	Book Submi... 15/04/2020
21		☆	Evidence	The text messages on my phone show that this is	Sent 29/01/2020
22		☆	WhatsApp Chat with Ali	2 Chat history is attached as "WhatsApp Chat with	Inbox 26/01/2020
23		★	Cover letter for Bloodborg: The Harvest, by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 27/09/2020
24		☆	Bloodborg: The Harvest By Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 27/09/2020
25		★	Automatic reply: Bloodborg: The Harvest, By Marc Wolstenholme	Due to the COVID-19 pandemic, our NYC office is	Book Submi... 27/09/2020
26		★	Bloodborg: The Harvest, By Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 27/09/2020
27		★	Automatic reply: Bloodborg: The Harvest by Marc Wolstenholme	Thank you for your submission to Andrew Numberg	Book Submi... 27/09/2020
28		★	Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 27/09/2020
29		★	query letter for Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 27/09/2020
30		☆	You have reached Tor.com Publishing Submissions Re: Fw: Submission of Bloodborg: The Harvest	THIS IS AN AUTOMATED RES...	Book Submi... 26/09/2020
31		☆	Query Received by Jessica Watterson at Sandra Dijkstra And Associates	...Your query for BLOODBORG: THE HARVEST was	Book Submi... 18/09/2020
32		☆	Query Received by Desiree Wilson at The Bent Agency	...Agency Your query for BLOODBORG: THE HARVEST was	Book Submi... 18/09/2020
33		☆	submitting Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 18/09/2020
34		★	Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 18/09/2020
35		★	Query letter for Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 18/09/2020
36		★	Query letter for Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 18/09/2020
37		★	Query letter for Bloodborg: The Harvest by Marc Wolstenholme	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 18/09/2020
38		☆	Query Received by Marisa Convisiero at Convisiero Literary Agency	...Agency Your query for BLOODBORG: THE HARVEST was	Book Submi... 18/09/2020
39		★	'Bloodborg: The Harvest'	2 ...and agreement for 'Bloodborg: The Harvest' which we	Sent 07/07/2020
40		★	From D&V Submissions Re: Submissions Marc Wolstenholme/ Bloodborg: The Harvest	Many thanks for contacting Darhansoff ...	Book Submi... 07/07/2020
41		★	Submissions Marc Wolstenholme/ Bloodborg: The Harvest	...Book: Bloodborg: The Harvest, Cyberpunk/	Sent 07/07/2020
42		☆	Reminder: Bloodborg: The Harvest	Austin Publishers sent you a document to review	Inbox 01/07/2020
43		☆	Bloodborg: The Harvest	Austin Publishers sent you a document to review	Book Submi... 24/06/2020

me, Submissions	★ Bloodborg: The Harvest by Marc Wolstenholme 2 ...Subject: Bloodborg: The Harvest by Marc	Book Submi...	11/11/2020
me, Caroline	★ Bloodborg: The Harvest By Marc Wolstenholme 2 ...Subject: Bloodborg: The Harvest By Marc	Inbox	20/10/2020
Austin Publishers via DocuSign	☆ Expiration Pending: Bloodborg: The Harvest Austin Publishers sent you a document to review	Inbox	12/10/2020
me, Eli	★ Bloodborg: The Harvest By Marc Wolstenholme 2 ...Subject: Bloodborg: The Harvest By Marc	Book Submi...	30/09/2020
Submissions	★ Automatic reply: Bloodborg: The Harvest, By Marc Wolstenholme Thank you for your submission. We will review and	Book Submi...	29/09/2020
me	★ Bloodborg: The Harvest By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	29/09/2020
me	★ Query from England for Bloodborg: The Harvest, By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	29/09/2020
me, info	★ Book submission: Bloodborg: The Harvest, By Marc Wolstenholme 2 ...Book submission: Bloodborg: The Harvest, By Marc	Inbox	29/09/2020
me	★ Bloodborg: The Harvest, By Marc Wolstenholme 2 ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	29/09/2020
me, Emily	★ Query for Bloodborg: The Harvest By Marc Wolstenholme 2 ...Book: Bloodborg: The Harvest, Cyberpunk/	Inbox	29/09/2020
me, Mary	★ Bloodborg: The Harvest, by Marc Wolstenholme 2 ...Subject: Bloodborg: The Harvest, by Marc	Book Submi...	28/09/2020
me, Angry	☆ Submission of Bloodborg: The Harvest 5 ...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi...	28/09/2020
me	★ cover letter for Bloodborg: The Harvest by Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	27/09/2020
me, Andrew	☆ Bloodborg: The Harvest By Marc Wolstenholme 2 ...Subject: Bloodborg: The Harvest By Marc	Book Submi...	27/09/2020
me	☆ Bloodborg: The Harvest by Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	27/09/2020
Alexandra Weiss at The Jennifer De Chiara ...	☆ Query Received by Alexandra Weiss at The Jennifer De Chiara Literary Agency ...Agency Your query for BLOODBORG: THE HARV...	Book Submi...	27/09/2020
me	★ Bloodborg: The Harvest By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	27/09/2020
Alex Field	★ Thanks for your e-mail to The Bindery. Re: Cover letter for Bloodborg: The Harvest, By Marc Wolstenholme Thank you for emaili...	Book Submi...	27/09/2020
me	★ Cover letter for Bloodborg: The Harvest, By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	27/09/2020
me	☆ Bloodborg: The Harvest By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Sent	27/09/2020
me, Headed	★ Automatic reply: Bloodborg: The Harvest, By Marc Wolstenholme ...Book: Bloodborg: The Harvest, Cyberpunk/	Book Submi...	27/09/2020

D2- Proof of full manuscript submissions. Query submissions tend to ask for the first 10,000 words and a synopsis. The Plaintiff knew how hard it is to find representation in the literary, film and gaming industries. Moreover, he did not regard the first Pov (Josh) as the strongest section. The Plaintiff was new to the industry, and he was naïve toward the high rate of plagiarism and theft. He “When out on a limb” and filed his whole manuscript to many, in the hope that it would have a greater chance of impressing the agents. This includes the submissions to Austin Macaulay Publishers, Curtis Brown Group, Riot Forge, Madeleine Milburn, Louise Buckley at Zeno Agency, Alexander Cochran at Conville & Walsh, and Will Francis at Janklow & Nesbit, among others.

Below I’ve attached a screenprint of the Will Francis at Janklow & Nesbit submission- 15/04/2020- to show that the full manuscript was attached.

D2- Will Francis at Janklow & Nesbit submission- 15/04/2020

Submissions Marc Wolstenholme / Bloodborg: The Harvest 2 Yahoo/Book Su... ★

Marc Wolstenholme
From: marc.wolstenholme@yahoo.co.uk
To: buckley@zenoagency.com Wed, 15 Apr 2020 at 23:41 ★

From: Marc Wolstenholme, 07827964404, marc.wolstenholme@yahoo.co.uk
Book: Bloodborg: The Harvest, Cyberpunk/ Fantasy Trilogy.
Word count: 95,000
To Louise Buckley at Zeno Agency - 15/04/2020
Dear Louise,

Bloodborg: The Harvest, is the first book of a Cyberpunk/ fantasy trilogy with a complex parallel story structure of six intersecting POVs and a backstory. The stories can each stand alone but are also woven into each other to build conflict and tension, matching lulls with high points and inciting events with rug-pulling moments while watching the evolution of our protagonists as they each confront their battles. Time is an element of the storytelling, having a timeline that reaches backwards from the future present to different times in the future past, then back to Coventry in the Old-World (2025).

The book traverses the World; New Kowloon (Manhattan), Dunkirk, Zimbabwe, Coventry, Las Vegas and the river Wye. Human Diversity and the way we treat each other is also a central theme.


The world (Mother Gaia) is dying because of human activity and war. Biological weapons have been released around the world as part of the Ark's depopulation plan. The people of The Ark of Civilization (Britain) and the Assemblage (USA) built gigantic defensive walls to keep out the Nullifidian, which is a term used to dehumanize the none chosen so that the Ark Defence will commit genocide, to save humanity.


Blood is the most valued commodity in the world; Pregnant women are worth the most, chiefly women in the first eight weeks of pregnancy because the embryo produces trophoblasts, which is in high demand, to produce Fetal Sapient Serum which rejuvenates the consumer and extends their life expectancy. People are hunted for blood markers. The Founding Families have made the people of the Ark believe Gaia is dying to perpetuate war, a distraction while they harvest enough blood variance to create the perfect Bloodborg.

The Founding Families are gearing towards a world without resistance, a one-world slave machine where the survivors see them as gods. They plan to re-house their minds in Bloodborgs, the pinnacle of all creation, the ultimate cybernetic human beings; Merging AI, in-brain computers, robotics and synthetic human self-regenerating tissue with the perfect cocktail of endless blood to be immune to all diseases and ageing.


Our protagonists are all being radicalized in different and complex ways by B, an ancient Cyborg, thought to be dead who is working with Teki Nagasaki, the ancient hacker who created Deep-root which is an in-brain computer network. Teki and B are leading a fight back against the Founding Families, but this is very implicit in this book. In This book, our protagonists begin their journeys.

I'm a college lecturer of Public Services and Sports. I have lived a life of struggle and strife. Growing up with severe dyslexia was difficult. I left my family home at the tender age of 14 because of violence. At 16, I joined the British Army. At 17, I was in a coma after an RTA in Germany. I struggled on, serving our country with injury and mental illness until I was medically discharged in 2011. I continued to suffer with PTSD, depression, anxiety and sleep disorders until gaining more help and diagnosis of my struggles in 2017.


 [Download all attachments as a zip file](#)



Synopsis n... .docx
25.5kB

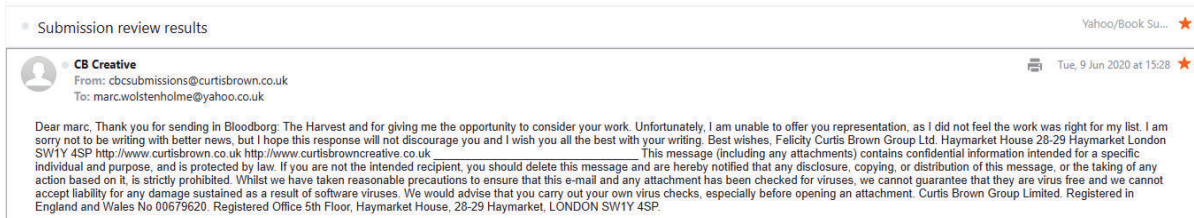


Bloodborgdocx
45.8kB



Bloodborgdocx
45.8kB

D3- cbcsubmissions@curtisbrown.co.uk rejection email – (Tue, 9 Jun 2020 at 15:28)



“Dear marc, Thank you for sending in Bloodborg: The Harvest and for giving me the opportunity to consider your work. Unfortunately, I am unable to offer you representation, as I did not feel the work was right for my list. I am sorry not to be writing with better news, but I hope this response will not discourage you and I wish you all the best with your writing. Best wishes, Felicity Curtis Brown Group Ltd. Haymarket House 28-29 Haymarket London SW1Y 4SP <http://www.curtisbrown.co.uk> <http://www.curtisbrowncreative.co.uk>

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1 **D4- Riot’s connections- In 2019 & 2020, Riot Games were soliciting narrative**
2 **and gaming content through their Riot forge portal. It was their private system and not**
3 **email which makes it harder to prove submission. In this period Riot were also soliciting**
4 **material from agents for Arcane. This is confirmed by both of the Arcane “Showrunners”**
5 **in Bridging the Rift, The making of Arcane. Additionally, Riot has a close working**
6 **relationship with many of the agencies which Bloodborg was submitted to.**

7
8 **Below is a brake down of Riot’s relationship with The United Talent Agency**
9 **(UTA) who owns The Curtis Brown Group.**
10

11
12 UTA's Gaming & Esports department has been an industry leader in representing
13 gamers, esports athletes, streamers, and gaming organizations. In 2018, UTA acquired two
14 esports agencies, Press X and Everyday Influencers, to expand its presence in the gaming
15 industry.
16

17 In 2019, UTA added Travis Mynard, formerly of Riot Games, to its esports
18 management division. Mynard had experience working with Riot's North America League of
19 Legends Championship Series (NA LCS) and the company's international League of Legends
20 esports league.
21

22 The United Talent Agency (UTA) acquired the Curtis Brown Group in June 2022.

23 Both UTA and Curtis Brown Group were involved with casting talent for Arcane.
24 Between them, they cast both of the main roles and two of the other biggest roles, and perhaps
25 more.

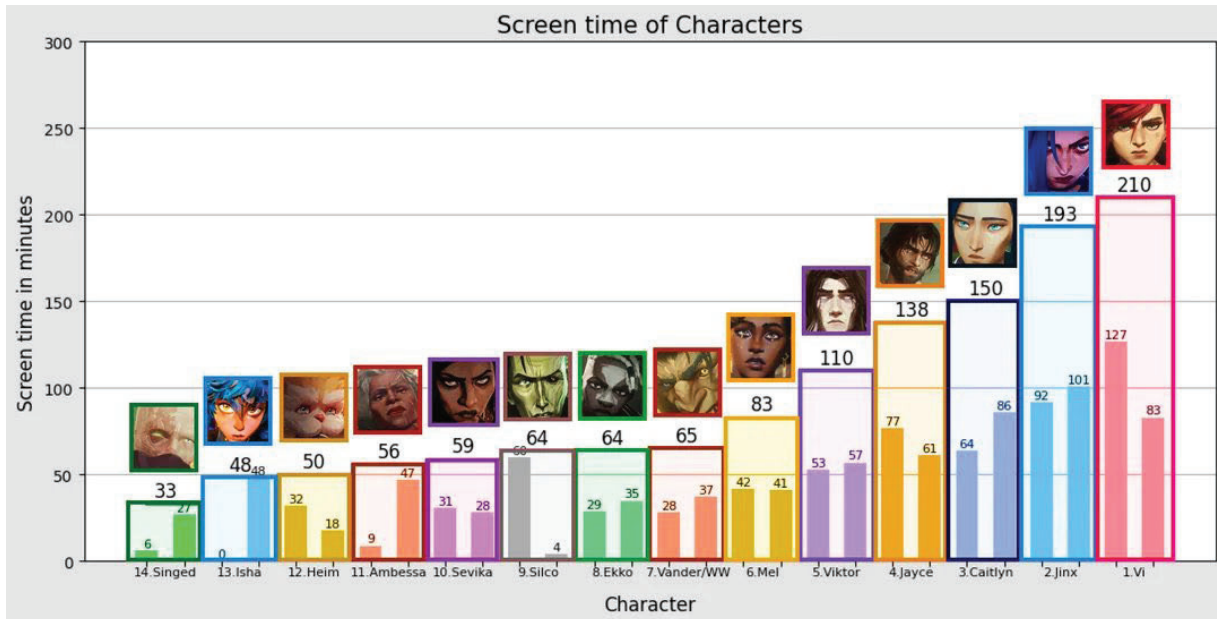
26 Hailee Steinfeld: Voices Vi in Arcane. Steinfeld is a client of UTA.
27

Ella Purnell: Voices Jinx. Purnell is a client of Curtis Brown Group.

Katie Leung: Voices Caitlyn Kiramman. Leung is represented by Curtis Brown

Harry Lloyd: Voices Viktor. Lloyd is represented by Curtis Brown Group.

These four characters represented by UTA and Curtis Brown Group received significantly more screen time than most with Steinfeld, Purnell and Leung being the top three, and Lloyd being the 5th most onscreen character.



This evidences relationships between Riot Games and the two linked agencies of UTA and Curtis Brown Group. This also evidences their involvement in Arcane.

Exhibit E- Highlighting Ongoing Copyright Concerns.

Please note, Exhibit E has no bearing on this case at this time, but the Plaintiff is being transparent and forthcoming to show a history and pattern of some people who may or may not have been involved in the Plaintiff's work (Bloodborg) being used to bail out the failing show of Arcane... Allegedly.

The Plaintiff will highlight Uk based complaints of alleged Copyright infringements of the M.W. Wolf catalogue of fiction, against Jonny Geller and Felicity Blunt of Curtis Brown Group, now a subsidiary of United Talent Agency (UTA). Many of these infringements are alleged to have also been sold to Netflix, where Arcane was distributed.

Jonny Geller and Felicity Blunt were the two main agents the Plaintiff had been trying to gain representation from since 2018. The Plaintiff had shared much work with them. The Plaintiff grew suspicious after time and time again his work, or elements of It seemingly ended up on shark tank writing room tables and was alleged to be cut up and fed into other shows. In 2021, The Plaintiff informed Jonny Geller of the alleged copyright infringement of Arcane, partly to see how he would react. After monitoring, the other alleged infringements continued.

The Plaintiff wrote a book Called Bee My Agent, about a literary agent swiping and selling the slush pile of unsolicited aspiring writers' works and about using synopses to give to his "Pet Writers" to cut up and feed into their own books. Bee My Agent attempted a metanarrative, predicting that it would be misused and abused in the same manner... and it was. With this book, the Plaintiff completed a writing course with Curtis Brown Creatives. On the course he informed the other students of the suspected infringements, to warn them and to test

1 the reactions of Jonny Geller. The plaintiff used X to highlight the misuse of his work and to
2 show how agents are selling “Slush Pile” synopses and manuscripts to big companies such as
3 Netflix and Marvel, cutting out the aspiring writers and creating an industry in which over 90%
4 of books sell next to nothing.

5
6 When Lisa Jewell released Breaking the Dark, it was clearly my work cut up and
7 forced into a character of Marvels. I began to reveal to Jonny on X that I knew people had used
8 my work. Around the same time, Curtis Brown Creatives tried to appease me with a 50 pound
9 discount after winning a writing competition they ran. I was willing to settle quietly, but Lisa’s
10 reaction to my complaint was offish and rude.

11
12 I have live copyright infringement concerns and complaints in the UK, which I
13 have not yet officially open proceedings for, but the solicitors of Curtis Brown Group and by
14 extension UTA have been informed and have not been very helpful.

15
16
17 **The Plaintiff, Marc Wolstenholme, M.W. Wolf.**

18 **Date: JANUARY 17, 2025**

19 **Signed:** *M.WOLSTENHOLME*